

# State of Maryland

## BOARD OF PUBLIC WORKS

BPW Advisory No.: **P-002-95 –REVISED**

Original Date: **October 16, 1995**

1st Revision: **July 15, 1997**

Subject: **Procurement – Action Agendas – Required Backup Documentation**

Effective: **Immediately**

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**Purpose:** Pursuant to COMAR 21.02.01.05 the Board of Public Works must review and approve the award of procurement contracts that are not otherwise delegated, before execution of the contracts. Each procurement contract requiring the Board's approval is submitted to the Board on the appropriate Action Agenda. The purpose of this Advisory is to notify State Departments and Agencies of the information required by the Board to facilitate their review of contract award recommendations. This *revision* incorporates the Board's instructions that they be informed of which contracts contain performance bond requirements and which do not.

**Policy:** Procurement contract award recommendations are submitted to the Board of Public Works on appropriate Action Agendas. Those Action Agenda items shall be accompanied by the following backup information:

- 1) For procurements under COMAR 21.05.02 - Procurement by Competitive Sealed Bidding and 21.05.03 - Procurement by Competitive Sealed Proposals.
  - a) A statement detailing the procurement agency's outreach efforts to encourage resident business and Minority Business Enterprises to respond to the solicitation;
  - b) A listing of bidders directly solicited which identify resident businesses and certified MBE's;
  - c) Copies of any protests and agency's response thereto;

A copy of the solicitation should be sent directly to the Procurement Advisor or the Board's Counsel whenever specifically requested, or whenever a bid protest has been filed.

- 2) For procurements made under COMAR 21.05.03 - Procurement by Competitive Sealed Proposals:

- a) A summary showing *both* technical and financial scores, or rankings if a numerical scoring system is not used, and a composite ranking based on the offerors combined technical and financial scores or rankings. The price of each offeror shall also be shown.
  - b) A brief narrative description of the strengths of the winning offeror's proposal.
- 3) For procurements made under COMAR 21.05.05 - Sole Source Procurement:
- a) A copy of the Procurement Officer's written sole source determination including the basis for it and;
  - b) A copy of a letter from the Agency Head affirming his/her agreement with the Procurement Officer's sole source justification.
  - c) A statement detailing any efforts to locate additional sources, or if no such efforts were made, the reason they were not, unless already included in the Procurement Officer's determination.
- 4) *For all procurements, a statement that the contract does or does not contain a performance bond (or other security) requirement, and the amount of the required performance security.*

Questions concerning this Advisory may be addressed to:

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**STATE OF MARYLAND**  
**NOTICE TO VENDORS/CONTRACTORS**

In order to help us improve the quality of State solicitations, and make our procurement process more responsive and business-friendly, we ask that you take a few minutes and provide comments and suggestions regarding this solicitation. Please return your comments with your bid or proposal (or no bid), as the case may be. Thank you for your assistance.

Bid/Proposal Number: \_\_\_\_\_, entitled: \_\_\_\_\_

I. If you have responded with a no bid, please indicate the reason below:

- ☐ Other commitments preclude our participation at this time.
- ☐ The subject of the contract is not something we normally provide.
- ☐ We are inexperienced in the work/commodities required.
- ☐ The specifications are either unclear or too restrictive. (Please explain in remarks section.)
- ☐ The scope of work is beyond our current capacity.
- ☐ Doing business with government is simply too complicated.
- ☐ We cannot be competitive. (Please explain in remarks section.)
- ☐ Time for completion is insufficient.
- ☐ Bonding/insurance requirements are prohibitive. (Please explain in remarks section.)
- ☐ Bid/proposal requirements, other than specifications, are unreasonable or too risky. (Please explain in remarks section.)
- ☐ Prior experience with State of Maryland contracts was unprofitable or otherwise unsatisfactory. (Please explain in remarks section.)
- ☐ Other: \_\_\_\_\_

II. If you have submitted a bid or proposal, but wish to offer suggestions or express concerns, please use the remarks section below. (Use the back for additional information.)

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Vendor Name: \_\_\_\_\_ Date: \_\_\_\_\_

Contact: \_\_\_\_\_ Phone: (\_\_\_\_)\_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THANK YOU!!!**